

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	Case No. 2:12-cv-01282-JLR
Plaintiff,)	
)	DECLARATION OF
v.)	BRIAN MAXEY
)	
CITY OF SEATTLE,)	
)	
Defendant.)	
_____)	

I, Brian Maxey, being familiar with the facts set forth herein based on my personal knowledge, and being competent to testify, hereby declare under penalty of perjury that the following is true and correct:

1. I serve as the Chief Operating Officer of the Seattle Police Department and have held this position from 2015-2018 and resumed this position in 2022 and have held it since then.

2. In my position as Chief Operating Officer, I oversee the Professional Standards Bureau which establishes policy and training for SPD.

Standard Policy Review Process

3. SPD's Audit, Policy, and Research section ("APRS") is primarily responsible for the policy review process at SPD. APRS is led by a captain who reports to the assistant chief who oversees SPD's Professional Standards Bureau. Policy concerns can be raised by any SPD unit or bureau chief, but often arise from the Force Review Board, which regularly identifies gaps in policy. Patrol personnel are also encouraged to contact APRS directly to discuss policy issues that impact patrol officers. SPD's policy review unit consults with SPD subject-matter experts and the SPD units most impacted by the policy under review. OIG is invited to SPD's periodic policy committee discussions, in addition to making policy recommendations through reports and audits. The Office of Police Accountability regularly sends "management action recommendations" to the Chief of Police when its investigations identify systemic issues that may be effectively addressed through changes to policy or training. The Community Police Commission (CPC) provides policy input with an eye to community priorities.

Crowd Management Policy

4. SPD's current proposed revisions to its Crowd Management policy are attached here as **Exhibit A**. The redlines reflect all changes that are being proposed as compared to the version of the policy that the Court approved in 2021.

5. In early 2025, SPD shared proposed revisions to its Crowd Management Policy with OIG, OPA, and CPC. It received significant, substantive suggestions about proposed changes. SPD, OIG, OPA, and CPC discussed the policy at their regular quarterly meeting on February 13, 2025. SPD incorporated their suggestions where appropriate and SPD and the accountability partners met again at in the CPC offices on May 2, 2025, to work through any

1 lingering concerns.

2 6. On February 14, 2024, the City enacted legislation regarding less lethal tools.
3 SPD incorporated additional changes to implement the new law into policy. *See Exhibit B.*

4 7. The City then forwarded SPD's proposed Crowd Management policy revisions
5 to the Monitoring Team and DOJ for review and input. SPD subsequently made changes to
6 address the feedback received from the Monitoring Team and DOJ.

7 8. SPD has been incorporating revisions based on recommendations from the
8 Sentinel Event Review since 2021—even before the first SER report was formally published.
9 SPD and OIG collaborated in real time throughout the SER process to effect change without
10 waiting for publication. Additionally, SPD participated in the SER, and many of the SER
11 recommendations were made by SPD and implemented immediately. As the SER progressed
12 and SPD additionally identified lessons in the field, it implemented them on an interim basis.
13 That interim policy was approved by DOJ and the Monitor and is attached here as **Exhibit C.**

14 **Alternative Force Reporting and Review Process**

15 9. During the mass protests of 2020, it was sometimes impossible for officers to
16 comply with SPD's force reporting process, and the Court directed SPD to develop an
17 alternative process to conduct reporting and review in such extraordinary situations.

18 10. SPD consulted with the Office of Inspector General for Public Safety, DOJ,
19 and the Monitor and developed an alternative process for review for extraordinary events. An
20 alternative process is authorized in Title 8 of the Seattle Police Manual at 8.400-POL-5 and
21 8.500-POL-6(3).

22 **Planned Implementation of Proposed Policy**


23 11. If the Court approves the proposed policy changes, then SPD will implement

1 them as final policy. As of now, SPD has implemented the proposed Crowd Management
2 policy on an interim basis. SPD conducted training with commanders to understand the new
3 requirements, as well as regional bike training incorporating the new standards.

4 12. The proposed interim policy has been published on SPD's website. If this
5 Court approves the proposed changes, then I will work with the Education and Training Unit
6 in the Bureau of Professional Standards to develop training that continue to support its
7 implementation as a final policy.

8
9 I declare under penalty of perjury that the foregoing is true and correct.

10 DATED this 18th day of June, 2025 at Seattle, King County, Washington.

11
12 
13 BRIAN MAXEY